

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
)	
Plaintiff,)	
)	
v.)	The Honorable Liam O’Grady
)	
KIM DOTCOM, <i>et al.</i> ,)	12 CR 3
)	
)	
Defendants.)	

RENEWED MOTION FOR PROTECTIVE ORDER

On March 20, 2012, pursuant to Fed. R. Crim. P. 16(d)(1), non-party Carpathia Hosting, Inc. moved for an order to protect it from undue expense and burden resulting from the continued storage of 1,103 computer servers containing 25 petabytes (25 million gigabytes) of data, which were used to provide services to Megaupload Limited (“Mega”). ECF No. 38 (March 20, 2012). Although Carpathia Hosting, Inc. owned and remained in physical possession of the computer servers, it did not own and was unable to access the data. Further, Carpathia Hosting, Inc. did not have any interest in the data stored on the computer servers. Rather, its interests were solely in the physical hardware itself.

Since that time, Carpathia Holdings, LLC and Carpathia Acquisition, Inc. entered into a stock purchase agreement with QTS Realty Trust, Inc. (“QTS”) on May 6, 2015. Pursuant to this agreement, QTS agreed to acquire Carpathia Acquisition, Inc. and its subsidiaries, including Carpathia Hosting, Inc. (“Carpathia”). Carpathia is now an indirect, wholly-owned subsidiary of QTS, and as a result, QTS now owns the servers.

As the successor-in-interest to Carpathia, QTS now requests judicial relief from the physical and financial burden of storing and maintaining the 1,103 computer servers at issue. As the servers have not been used for the purposes of any litigation since the filing of Carpathia's Motion for Protective Order on March 20, 2012, QTS seeks an Order from the Court allowing for disposition of the servers and data.

Dated: August 11, 2015

Respectfully submitted,

/s/ Christina Harrison

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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2015 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send a notification of such filing (NEF) to all counsel of record.

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